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October 23, 2019

VIA ECF

Honorable Magistrate Judge Gary R. Brown
United States District Court
Eastern District of New York
100 Federal Plaza, Courtroom 840
P.O. Box 9014
Central Islip, New York 11722

Re: *Manuela Diaz v. County of Suffolk, et al.*
17-CV-4398 (ADS)(GRB); L2534

Dear Judge Brown:

This office is counsel for Plaintiff in the above-referenced matter. Pursuant to Fed. R. Civ. P. 16(b), Local Civil Rule 16.2, and Your Honor's Individual Practice Rule II(A), Plaintiff respectfully makes this application with the consent of Arlene Zwilling, counsel for Defendants, to request an additional two-month extension of the discovery deadline as well as corresponding adjournments to Court conferences and other case deadlines that would be affected by an adjournment of the discovery deadline. This is the parties' fourth request for extension of these deadlines.

To briefly memorialize, Plaintiff requested an extension of time to complete discovery on July 30, 2019 with the hopes that all of the remaining depositions would be completed in that time frame. Unfortunately, due to scheduling difficulties and the undersigned preparing for a trial in the New York State Supreme Court, County of Bronx, the remaining depositions were not able to be completed in this time period. To date, Plaintiff, Defendant Filiberto, and four non-party witnesses have been deposed, and paper discovery is complete.

The parties have attempted to schedule the remaining depositions of the Defendant Police Officers within the extended deadline, but were unable to do so due to various scheduling conflicts with the witnesses and the undersigned. Plaintiff expects to have two-to-three remaining depositions, which can be scheduled in mid-November 2019, due to the fact that counsel for Defendants has indicated that she is starting a trial next week through November 15, 2019, if this Court is amenable to this request. In addition, in the interim, the parties will engage in settlement discussions to see if there is a possibility to resolve the matter.

Therefore, it is respectfully requested that the fact discovery deadline be extended for two additional months until December 19, 2019, which also accounts for any post-deposition discovery



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that may arise. The requested extension will affect other discovery dates and, therefore, it is also requested that the date for expert discovery be extended to February 20, 2020.

Thank you for your attention and consideration of this application.

Very truly yours,
THE RUSSELL FRIEDMAN LAW GROUP, LLP

By: /S/Daniel S. Hallak
Daniel S. Hallak

DSH/dm

cc: All counsel, via ECF